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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,311	10/31/2003	Masaru Takahashi	16869P-097000US	5432
20350 7590 02/25/2008 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER SHIBRU, HELEN	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 02/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/700,311	TAKAHASHI ET AL.	
	Examiner	Art Unit	
	HELEN SHIBRU	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/11/2008 has been entered.

Response to Amendment

2. The amendments, filed 02/11/2008, have been entered and made of record. Claims 1-18 are pending.

Response to Arguments

3. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murase (US Pat. No. 6,285,826) in view of Takeshi et al (US PG PUB 2007/0109420 A1).

Regarding claim 1, Murase discloses a recording/reproducing apparatus capable of transmitting information recorded on a record medium to an external device, comprising: a recording/reproducing circuit which records information on and reproduces information from the record medium (see figs. 34 and 40); a transmitting circuit which transmits the information to the external device (see fig.40 and col. 27 lines 13-26); and a control circuit which controls workings of the recording/reproducing circuit and the transmitting circuit (see fig. 40 component 7802); wherein the recording/reproducing circuit records reproduction path information, which includes order information defining an order of information to be transmitted and reproduces the information from said record medium according to the order information included in the path information (see col. 28 lines 9-13 where Murase teaches plural reproduction path are recorded, see abstract where Murase teaches the reproduction path is played from the optical disc, see col. 9 lines 61-65 where Murase teaches the reproduction path can be an original PGC or user selected production sequence) and transmitting circuit transmits the information reproduced by the recording/reproducing circuit according to the order information included in the path information (see abstract, col. 9 lines 61-65, col. 23 lines 34-58, col. 27 lines 13-26, col. 28 lines 9-14, and claim 2).

Claim 1 differs from Murase in that the claim further requires an external network to which other external devices are connected and destination information which is recorded and used when the information to be transmitted is transmitted to the external device among other external devices.

In the same field of endeavor Takeshi discloses an external network to which other external devices are connected and destination information which is recorded and used when the information to be transmitted is transmitted to the external device among other external devices (see paragraphs 0012-0017 and 0053 where Takeshi discloses destination information are recorded and used to transmit data, and external devices are connected via an external network, see also fig. 1). Therefore in light of the teaching in Takeshi it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Murase by connecting external devices via external network in order to transmit image data to different locations.

Regarding claim 2, Murase discloses the recording/reproducing apparatus comprises a signal conversion circuit which converts the signal format of the reproduced information into another signal format for transmission to the external device (see fig. 40 and col. 27 lines 13-26, data are decoded for transmission purpose).

Regarding claim 3, Murase discloses the reproduction path information includes transmitting event information including a date and time of transmission, and information related to a signal format of the information to be transmitted (see fig. 10, col. 9 lines 43-55, col. 11 lines 60-65, col. 16 lines 6-18, and claim 3).

Regarding claim 4, Murase discloses the recording/reproducing apparatus includes a display for the path information, and creates the path information using the display of information to be transmitted specified by a user, the user selects path information corresponding to the information to be transmitted from among the path information displayed on the display section; and the transmitting circuit transmits information according to the

selected reproduction path information (see abstract, col. 9 lines 61-65, col. 23 lines 34-58, col. 25 line 59-col. 26 line 5, col. 27 lines 13-26, col. 28 lines 9-14, and claim 2. See also rejection of claim 1 above).

Regarding claim 5, Murase discloses the recording/reproducing apparatus displays a message on the display section asking if the information to be transmitted specified by the user should be recorded on the record medium as path information, records the path information on the record medium when the user has chosen to record it as path information; and does not record the path information on the record medium when the user has chosen not to record it as path information (see col. 28 lines 1-18).

Regarding claim 6, Murase discloses the recording/reproducing apparatus displays path information read from the record medium on the display section, displays a message, when the user has selected path information, asking if information should be transmitted according to the path information selected by the user, reproduces information according to the selected path information from the record medium and transmits it via said second transmitting circuit, when the user has chosen to transmit, and reproduces information according to the selected path information from the record medium but does not transmit it via said second transmitting circuit, when the user has chosen not to transmit (see figs. 41-42 and 45, and col. 26 line 22-col. 27 line 11. See also claim 1 rejection above).

Regarding claim 7, Murase discloses the information comprises image data (see abstract).

Claims 8, 11, and 17 are rejected for the same reason as discussed in claim 1 above.

Claims 9 and 13 are rejected for the same reason as discussed in claim 3 above.

Claims 10 and 18 are rejected for the same reason as discussed in claim 7 above.

Claim 12 is rejected for the same reason as discussed in claim 2 above.

Claims 14-16 are rejected for the same reason as discussed in claims 4-6 respectively above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takakura et al. (US PG PUB 2002/0113992 A1).

Nishimura et al. (US PG PUB 2002/0194351 A1).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/700,311
Art Unit: 2621

Page 7

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
February 15, 2008


THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
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